

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KRISS et al,

Plaintiffs,

-against-

BAYROCK GROUP et al,

Defendants
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10 CIV 3959 (NRB)

**ORDER *IN RE* FILING A
FIRST AMENDED AND
SUPPLEMENTAL
COMPLAINT**


FRCP 15

ORDER

It is ordered, that should any or all Plaintiffs file a first amended and supplemental complaint on or before March 1, 2011, such filing:

- (1) Shall not be deemed made pursuant to FRCP 15(a)(1), Plaintiffs retaining the right to file a subsequent, second amended complaint pursuant thereto as a matter of course as if such were a first amended complaint; and
- (2) Shall not be counted for any further purposes of FRCP 15(a)(2), thus any subsequent application by Plaintiffs for permission to file a third, fourth, etc. amended complaint shall be decided as if the first amended complaint were actually the complaint originally filed and the second amended complaint were actually the first amended complaint filed as a matter of course, and so on; and
- (3) Shall not preclude Plaintiffs from requesting permission to file subsequent supplemental complaint(s).

By:


Naomi Reice Buchwald
United States District Judge

December 23, 2010

